

022304  
16560 U.S. PTO022304  
107784379

**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

- |   |   |
|---|---|
| 1. <input checked="" type="checkbox"/>  | Fee Transmittal Form (e.g., PTO/SB/17)<br><i>(Submit an original and a duplicate for fee processing)</i>  |
| 2. <input type="checkbox"/>   | Applicant claims small entity status.<br>See 37 CFR 1.27.   |
| 3. <input checked="" type="checkbox"/>  | Specification [Total Pages 59]  |
| <ul style="list-style-type: none"> <li>- Descriptive title of the invention</li> <li>- Cross Reference to Related Applications</li> <li>- Statement Regarding Fed sponsored R &amp; D</li> <li>- Reference to sequence listing, a table, or a computer program listing appendix</li> <li>- Background of the Invention</li> <li>- Brief Summary of the Invention</li> <li>- Brief Description of the Drawings (if filed)</li> <li>- Detailed Description</li> <li>- Claim(s)</li> <li>- Abstract of the Disclosure</li> </ul> |   |
| 4. <input checked="" type="checkbox"/>  | Drawing(s) (35 U.S.C. 113) [Total Sheets 9]   |
| 5. Oath or Declaration  | [Total Sheets 2]  |
| a. <input type="checkbox"/>   | Newly executed (original or copy)   |
| b. <input checked="" type="checkbox"/>  | Copy from a prior application (37 CFR 1.63 (d))<br><i>(for continuation/divisional with Box 18 completed)</i>                                       |
| i. <input type="checkbox"/>   | <b>DELETION OF INVENTOR(S)</b><br>Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b). |
| 6. <input type="checkbox"/>   | Application Data Sheet. See 37 CFR 1.76   |

|                        |   |
|------------------------|---|
| Attorney Docket No.    | 3140-010-01   |
| First Inventor         | Hirokazu TSUNOBUCHI   |
| Title                  | OPTICAL INFORMATION READER AND OPTICAL INFORMATION READING METHOD |
| Express Mail Label No. | EV369584300US   |

- |  |   |
|--|---|
| 7. <input type="checkbox"/>  | CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix) |
| 8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) |   |
| a. <input type="checkbox"/>  | Computer Readable Form (CRF)  |
| b. Specification Sequence Listing on:  |   |
| i. <input type="checkbox"/>  | CD-ROM or CD-R (2 copies); or   |
| ii. <input type="checkbox"/>   | paper   |
| c. <input type="checkbox"/>  | Statements verifying identity of above copies                           |

| ACCOMPANYING APPLICATION PARTS          |  |  |
|---|--|--|
| 9. <input type="checkbox"/>             | Assignment Papers (cover sheet & document(s))  |  |
| 10. <input type="checkbox"/>            | 37 CFR 3.73(b) Statement (when there is an assignee)   | <input type="checkbox"/> Power of Attorney         |
| 11. <input type="checkbox"/>            | English Translation Document (if applicable)   |  |
| 12. <input checked="" type="checkbox"/> | Information Disclosure Statement (IDS)/PTO-1449  | <input type="checkbox"/> 0 Copies of IDS Citations |
| 13. <input checked="" type="checkbox"/> | Preliminary Amendment  |  |
| 14. <input checked="" type="checkbox"/> | Return Receipt Postcard (MPEP 503)<br><i>(Should be specifically itemized)</i>                                   |  |
| 15. <input type="checkbox"/>            | Certified Copy of Priority Document(s) (if foreign priority is claimed)  |  |
| 16. <input type="checkbox"/>            | Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent. |  |
| 17. <input type="checkbox"/>            | Other: .....   |  |

18 If a CONTINUATING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation  Divisional  Continuation-in-part (CIP)

of prior application No.: 10/162,853

Prior application information: Examiner Kumiko C. Koyama

Group Art Unit: 2876

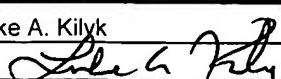
For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**

|   |       |    |  |
|---|-------|----|--|
| <input checked="" type="checkbox"/> Customer Number or Bar Code Label | 33432 | or | <input checked="" type="checkbox"/> Correspondence address below |
|---|-------|----|--|

(Insert Customer No. or Attach bar code label here)

|         |  |           |                |                |
|---------|--|-----------|----------------|----------------|
| Name    | Luke A. Kilyk                                      |           |                |                |
| Address | Kilyk & Bowersox, P.L.L.C.<br>53 A East Lee Street |           |                |                |
| City    | Warrenton  | State     | VA             | Zip Code       |
| Country | USA  | Telephone | 1-540-428-1701 | Fax            |
|         |  |           |                | 1-540-428-1720 |

|                   |   |                                   |                   |
|-------------------|---|-----------------------------------|-------------------|
| Name (Print/type) | Luke A. Kilyk   | Registration No. (Attorney/Agent) | 33,251            |
| Signature         |  | Date                              | February 23, 2004 |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: February 23, 2004 Label No. EV369584300US I hereby certify that, on the date indicated above, I deposited this paper with identified attachments and/or fee with the U.S. Postal Service and that it was addressed for delivery to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 by "Express Mail Post Office to Addressee" service.

Donald Prater  
Name (Print) 

Signature

# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant Claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$)**1,374.00**

### Complete if Known

|                      |                     |
|----------------------|---------------------|
| Application Number   | Unassigned          |
| Filing Date          | February 23, 2004   |
| First Named Inventor | Hirokazu TSUNOBUCHI |
| Examiner Name        | Unassigned          |
| Art Unit             | Unassigned          |
| Attorney Docket No.  | 3140-010-01         |

### METHOD OF PAYMENT (check all that apply)

Check  Credit card  Money Order  Other  None

Deposit Account

|                        |                            |
|------------------------|----------------------------|
| Deposit Account Number | 50-0925                    |
| Deposit Account Name   | Kilyk & Bowersox, P.L.L.C. |

The Director is authorized to: (check all that apply)

- Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

### FEE CALCULATION (continued)

#### 3. ADDITIONAL FEES

##### Large Entity Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description  | Fee Paid |
|----------|----------|----------|----------|--|----------|
| 1051     | 130      | 2051     | 65       | Surcharge – late filing fee or oath                    |          |
| 1052     | 50       | 2052     | 25       | Surcharge – late provisional filing fee or cover sheet |          |
| 1053     | 130      | 1053     | 130      | Non-English specification                              |          |
| 1812     | 2,520    | 1812     | 2,520    | For filing a request for ex parte reexamination        |          |
| 1804     | 920*     | 1804     | 920*     | Requesting publication of SIR prior to Examiner action |          |
| 1805     | 1,840*   | 1805     | 1,840*   | Requesting publication of SIR after Examiner action    |          |

1251 110 2251 55 Extension for reply within first month

1252 420 2252 210 Extension for reply within second month

1253 950 2253 475 Extension for reply within third month

1254 1,480 2254 740 Extension for reply within fourth month

1255 2,010 2255 1,005 Extension for reply within fifth month

1401 330 2401 165 Notice of Appeal

1402 330 2402 165 Filing a brief in support of an appeal

1403 290 2403 145 Request for oral hearing

1451 1,510 1451 1,510 Petition to institute a public use proceeding

1452 110 2452 55 Petition to revive – unavoidable

1453 1,330 2453 665 Petition to revive – unintentional

1501 1,330 2501 665 Utility issue fee (or reissue)

1502 480 2502 240 Design issue fee

1503 640 2503 320 Plant issue fee

1460 130 1460 130 Petitions to the Commissioner

1807 50 1807 50 Processing fee under 37 CFR 1.17(q)

1806 180 1806 180 Submission of Information Disclosure Stmt

8021 40 8021 40 Recording each patent assignment per property (times number of properties)  
 Filing a submission after final rejection (37 CFR 1.129(a))

1809 770 2809 385 For each additional invention to be examined (37 CFR 1.129(b))

1810 770 2810 385 Request for Continued Examination (RCE)

1801 770 2801 385 Request for expedited examination of a design application

1802 900 1802 900

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

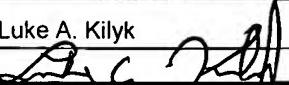
**SUBTOTAL (3) (\$)**

**SUBTOTAL (2) (\$ 604.00)**

\*\* or number previously paid, if greater; For Reissues, see above

### SUBMITTED BY

Complete (if applicable)

|                   |   |                                      |        |           |                   |
|-------------------|---|--------------------------------------|--------|-----------|-------------------|
| Name (Print/Type) | Luke A. Kilyk   | Registration No.<br>(Attorney/Agent) | 33,251 | Telephone | 540-428-1701      |
| Signature         |  |                                      |        | Date      | February 23, 2004 |

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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Donald Prater

Name (Print)

  
Signature